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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,237	02/27/2004	Atul Asthana	30889-2007	4806
33721	7590	10/20/2005		EXAMINER
TORYS LLP				GELIN, JEAN ALLAND
79 WELLINGTON ST. WEST				
SUITE 3000			ART UNIT	PAPER NUMBER
TORONTO, ON M5K 1N2			2688	
CANADA				DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/787,237	ASTHANA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Jean A. Gelin	2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 27 February 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-19 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 27 February 2004 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/19/04.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Huomo (WO 2004/004372 A1).

Regarding claims 1, 3, and 9, Huomo teaches wireless communication system comprising: a first base station (104) set operable to wirelessly transmit across a first geographic range (fig. 1); a second base station (106) set operable to wirelessly transmit across a second geographic range (fig. 1); a subscriber device (102) operable to wirelessly receive a first identifier from said first base station set when said device is in said first geographic range and to receive a second identifier from said second base station set when said device is in said second geographic range (page 2, line 31 to page 3, line 5; page 3, line 23 to page 4, line 23); and said device operable to store a location that is associated with each said identifier (page 2, col. 31 to page 3, col. 5).

Regarding claims 2, 18, Huomo teaches said subscriber device is selected from the group consisting of a cell phone, a smart telephone and a laptop computer connected to a wireless network (page 20, lines 6-12, lines 20-26).

Regarding claim 4, Huomo teaches wherein said system includes at least one additional base station set operable to wirelessly transmit across an additional

geographic range respective thereto (page 17, line 14 to page 18, line 19); said subscriber device operable to wirelessly receive an additional identifier from said at least one additional base station set when said device is in said additional geographic range (page 17, line 14 to page 18, line 19); said device operable to store a user-defined location that is associated with each said additional identifier (page 17, line 14 to page 18, line 19).

Regarding claims 5, 11, Huomo teaches wherein said device is further operable to store an event that is associated with at least one of said geographic range, said device further operable to perform said event when said device enters said at least one geographic range (page 18, line 20 to page 20, line 13).

Regarding claims 6, and 12, Huomo teaches wherein said event is a task having a location notification associated therewith, such that a reminder to perform said task is generated when said device enters one of said geographic ranges associated with said location notification (page 18, line 20 to page 19, line 13).

Regarding claim 7, Huomo teaches wherein said device is operable to store at least one additional location that is associated with each said identifier (page 10, line 4-26).

Regarding claims 8, 13, Huomo teaches wherein said location is user-defined (page 11, lines 4-9).

Regarding claims 8, 13, Huomo teaches wherein said identifier is unique combination of base station IDs that are emitted by each base station in said base station set (page 10, lines 4-16).

Regarding claims 15, 19, Huomo further teaches receiving an identifier from a set of base stations when said device is in a geographic range throughout which said set of base stations wirelessly transmits (page 17, lines 4-30); determining if identifier is included in said list and adding said identifier to said list of locations if said identifier is not in said list (page 17, lines 21-30).

Regarding claim 16, Huomo further teaches receiving user input renaming a location associated with said identifier (page 17, lines 28-30).

Regarding claim 17, Huomo further teaches displaying a name assigned to said location when said device is in a geographic range respective to said location (page 17, lines 4-13).

Regarding claim 18, Huomo further teaches performing an event associated with one of said locations when said device is in a geographic range respective to said location (page 17, lines 4-30).

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin  
October 14, 2005

**JEAN GELIN**  
**PRIMARY EXAMINER**

*Jean Alain Gelin*